S.B.Civil Revision Petition No.417/2006

Gordhan Dass.
vs.
Kishorimal and others.

Date : 9.10.2006

HON'BLE MR. PRAKASH TATIA, J.

Mr. N Shrimali, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner has challenged the order dated 15.5.2006 by which the court below dismissed the petitioner's application under Order 7 Rule 11 read with Section 151 CPC.

Learned counsel for the petitioner submitted that in the entire plaint, there is no allegation against the defendants no.2 to 4 and no relief has been claimed against the defendants no.2 to 4.

The trial court dismissed the application on the ground that the defendants no.2 to 4 have been impleaded on moving application under Order 1 Rule 10 CPC wherein the court found that their presence is necessary.

After going through the reasons given in the impugned order, I do not find that the court below has committed any

error of fact or law in dismissing the application filed by the petitioner.

In view of the above, this revision petition, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya